

02-04-01

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# UTILITY PATENT APPLICATION TRANSMITTAL

Only for new nonprovisional applications under  
37 CFR 1.53(b))

Attorney Docket No.

P5663

First Inventor

Scott D. Ritche

Title

AUTOMATED SERVICE SUPPORT  
OF SOFTWARE DISTRIBUTION IN  
A DISTRIBUTED COMPUTER  
NETWORK

Express Mail Label No.

EL841973921US

## APPLICATION ELEMENTS

Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

- |   |   |
|---|---|
| <p>1. <input checked="" type="checkbox"/> Fee Transmittal Form<br/>(submit an original and a duplicate for fee processing)</p> <p>2. <input type="checkbox"/> Applicant claims small entity status.<br/>See 37 CFR 1.27</p> <p>3. <input checked="" type="checkbox"/> Specification [ total pages 37 ]<br/>(preferred Arrangement set forth below)</p> <ul style="list-style-type: none"> <li>- Descriptive title of the Invention</li> <li>- Cross References to Related Applications</li> <li>- Statement Regarding Fed sponsored R&amp;D</li> <li>- Reference to sequence listing, a table, or a computer program listing appendix</li> <li>- Background of the Invention</li> <li>- Brief Summary of the Invention</li> <li>- Brief Description of the Drawings</li> <li>- Detailed Description</li> <li>- Claim(s)</li> <li>- Abstract of the Disclosure</li> </ul> <p>4. <input checked="" type="checkbox"/> Drawing(s) [ total sheets 3 ]</p> <p>5. <input checked="" type="checkbox"/> Oath or Declaration [ total sheets 2 ]</p> <p>a. <input checked="" type="checkbox"/> Newly executed (original or copy)</p> <p>b. <input type="checkbox"/> Copy from prior appl. (37 C.F.R. § 1.63(d))</p> <p>i. <input type="checkbox"/> DELETION OF INVENTOR(S)<br/>Signed statement attached deleting inventor(s) named in prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).</p> | <p>6. <input type="checkbox"/> Application Data Sheet. (See 37 CFR 1.76)</p> <p>7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)</p> <p>8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)</p> <p>a. <input type="checkbox"/> Computer Readable Form</p> <p>b. <input type="checkbox"/> Specification Sequence Listing on:</p> <p>i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or</p> <p>ii. <input type="checkbox"/> paper</p> <p>c. <input type="checkbox"/> Statements verifying identity of above copies</p> |
|---|---|

## ACCOMPANYING APPLICATION PARTS

9. ☒ Assignment Papers (coversheet/document(s))
10. ☐ 37 CFR. 3.73(b) Statement (when there is an assignee) ☒ Power of Attorney
11. ☐ English Translation Document
12. ☒ IDS & Form 1449 ☒ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
15. ☐ Certified Copy of Priority Document(s)
16. ☒ Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other:

17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: \_\_\_/\_\_\_

Prior application information: Examiner: \_\_\_\_\_ Group/Art Unit: \_\_\_\_\_

FOR CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 17. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label or ☒ Correspondence address below

Name	William J. KUBIDA, Esq.				
	Hogan & Hartson, LLP				
Address	1200 17 <sup>th</sup> Street				
	Suite 1500				
City	Denver	State	CO	ZIP	80202
Country	US	Telephone	(719) 448-5900	Fax	(719) 448-5922

Name (Print/Type)	Kent A. Lembke	Registration No.	44,866
(Signature)	<i>Kent A. Lembke</i>	Date	2/8/01

# FEE TRANSMITTAL for FY 200

Complete if Known

Application Number

Filing Date

First Named Inventor

Scott D. Ritche

Examiner Name

Group / Art Unit

Attorney Docket No.

P5663

TOTAL AMOUNT OF PAYMENT (\$)

\$956

## METHOD OF PAYMENT (check one)

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit  
Account  
Number

50-1123

Deposit  
Account  
Name

Hogan & Hartson L.L.P.

☒ Charge Any Additional Fee Required Under 37  
CFR § 1.16 and 1.17

☐ Applicant claims small entity status.  
See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Money Order ☐ Other

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
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130	65	Surcharge - late filing fee or oath	
50	25	Surcharge - late provisional filing fee or cover sheet	
130	130	Non-English specification	
2,520	2,520	For filing a request for ex parte reexamination	
920*	920*	Requesting publication of SIR prior to Examiner action	
1,840*	1,840*	Requesting publication of SIR after Examiner action	
110	55	Extension for reply within first month	
390	195	Extension for reply within second month	
890	445	Extension for reply within third month	
1,390	695	Extension for reply within fourth month	

1,890	945	Extension for reply within fifth month	
310	155	Notice of Appeal	
310	155	Filing a brief in support of an appeal	
270	135	Request for oral hearing	
1,510	1,510	Petition to institute a public use proceeding	
110	55	Petition to revive - unavoidable	
1,240	620	Petition to revive - unintentional	
1,240	620	Utility issue fee (or reissue)	
440	220	Design issue fee	
600	300	Plant issue fee	
130	130	Petitions to the Commissioner	
50	50	Petitions related to provisional applications	
240	240	Submission of Information Disclosure Stmt	
40	40	Recording each patent assignment per property (times number of properties)	40
710	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
710	355	For each additional invention to be examined (37 CFR § 1.129(b))	
710	355	Request for Continued Examination Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

\$40

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
710	355	Utility Filing Fee	710
320	160	Design filing fee	
490	245	Plant filing fee	
710	355	Reissue filing fee	
150	75	Provisional filing fee	

SUBTOTAL (1) \$710

### 2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
27	-20**= 7	18	126
4	-3**= 1	80	80
Multiple Dependent			0

\*\*or number previously paid, if greater; For Reissues, see below

Large Entity Fee Code	Small Entity Fee Code	Fee Description
103 18	203 9	Claims in excess of 20
102 80	202 40	Independent claims in excess of 3
104 270	204 135	Multiple dependent claim, if not paid
109 80	209 40	**Reissue independent claims over original patent
110 18	210 9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

\$206

## SUBMITTED BY

Name (Print/Type) Kent A. Lembke

Registration No.  
(Attorney/Agent)

44,866

Telephone

(720) 406-5378

Signature

*Kent A. Lembke*

Date

2/08/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Scott D. Ritche

Serial No. NEW

Filed: Herewith

For: AUTOMATED SERVICE  
SUPPORT OF SOFTWARE  
DISTRIBUTION IN A DISTRIBUTED  
COMPUTER NETWORK

Group Art Unit:

Examiner:

CERTIFICATE OF MAILING BY EXPRESS MAIL

Box PATENT APPLICATION  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The undersigned hereby certifies that the following documents:

1. Utility Patent Application Transmittal;
2. Fee Transmittal;
3. Utility Patent Application;
4. Executed Combined Declaration and Power of Attorney;
5. 3 sheets of drawings;
6. Recordation Form Cover Sheet PTO 1595 with Executed Assignment and Recording Fee of \$40.00;
7. Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i);
8. Information Disclosure Statement, Form PTO-1449;
9. Photocopies of 5 references;
10. Check in the amount of \$956;
11. Return postcard;
12. Certificate of Mailing By Express Mail.

relating to the above application, were deposited as "Express Mail", Mailing Label No. EL841973921US, with the United States Postal Service, addressed to Box PATENT APPLICATION, The Assistant Commissioner for Patents, Washington, D.C., 20231,

2/8/01

2/8/01

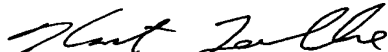
Date

2/8/01

Date



Mailer



Kent A. Lembke  
Reg. No. 44,866  
HOGAN & HARTSON LLP  
One Tabor Center  
1200 17th Street, Suite 1500  
Denver, Colorado 80202  
(719) 448-5909 Tel  
(303) 899-7333 Fax

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)</b>	First Named Inventor	Scott D. Ritche
	Title	Automated Service Support of Software Distribution In A Distributed Computer Network
	Atty Docket Number	P5663

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

2/8/01

Date

Kent A. Lembke

Signature

Kent A. Lembke

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

FORM 200-246260